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3 **IN THE UNITED STATES DISTRICT COURT**
4 **FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS
6 PRODUCTS LIABILITY LITIGATION

7 No.

**AMENDED MASTER SHORT FORM
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS**

8 Plaintiff(s) named below, for their Complaint against Defendants named below,
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 Clifford Jones

13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
14 consortium claim:

15 N/A

16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,
17 conservator):

18 N/A

19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at
20 the time of implant: Michigan

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Michigan

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Michigan

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court for the Eastern District of Michigan

Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other:

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

Multi-District Litigation

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

□ Recovery® Vena Cava Filter

□ G2® Vena Cava Filter

1 G2® Express (G2®X) Vena Cava Filter
2 Eclipse® Vena Cava Filter
3 Meridian® Vena Cava Filter
4 Denali® Vena Cava Filter

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6 11. Date of Implantation as to each product:

7 November 20, 2012

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9 12. Counts in the Master Complaint brought by Plaintiff(s):

10 Count I: Strict Products Liability – Manufacturing Defect
11 Count II: Strict Products Liability – Information Defect (Failure to
12 Warn)
13 Count III: Strict Products Liability – Design Defect
14 Count IV: Negligence - Design
15 Count V: Negligence - Manufacture
16 Count VI: Negligence – Failure to Recall/Retrofit
17 Count VII: Negligence – Failure to Warn
18 Count VIII: Negligent Misrepresentation
19 Count IX: Negligence *Per Se*
20 Count X: Breach of Express Warranty
21 Count XI: Breach of Implied Warranty
22 Count XII: Fraudulent Misrepresentation

- Count XIII: Fraudulent Concealment
- Count XIV: Violations of Applicable Michigan Law
Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- Count XV: Loss of Consortium
- Count XVI: Wrongful Death
- Count XVII: Survival
- Punitive Damages
- Other(s): _____ (please state the facts supporting this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

Yes

□ No

1 RESPECTFULLY SUBMITTED this 20th day of October, 2017.

2 **MARC J. BERN & PARTNERS LLP**

3 By: /s/ Debra J. Humphrey

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5 *Attorneys for Plaintiff(s)*

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12 I hereby certify that on this 20th day of October, 2017, I electronically transmitted
13 the attached document to the Clerk's Office using the CM/ECF System for filing and
14 transmittal of a Notice of Electronic Filing.

15 /s/ Debra J. Humphrey
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